

1                   IN THE UNITED STATES DISTRICT  
2                   MIDDLE DISTRICT OF TENNESSEE  
3                   AT COLUMBIA

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4       STEPHEN MATTHEW HOPKINS  
5       and JULIE R. HOPKINS,  
6                   Plaintiffs,

7       vs.

Case No.  
1:19-cv-00059

8       ANTHONY "TONY" NICHOLS, in  
9       his individual and  
10      official capacity, SHERIFF  
11      WILLIAM "BILLY" LAMB, in  
12      his individual and  
13      official capacity,

14                   Defendants.

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15                   Videoconference Deposition of:

16                   WILLIAM LAMB

17                   Taken on behalf of Plaintiffs  
18                   August 5, 2020

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1 there, approximately?

2 A. I think 22. 21, 22.

3 Q. And what job did you take after that?

4 A. I come to work at the sheriff's office.  
5 Marshall County Sheriff's Office.

6 Q. Marshall County Sheriff's Office?

7 A. Yes, sir.

8 Q. And have you worked at the sheriff's office  
9 there in Marshall County in one capacity or another  
10 continuously since that time?

11 A. Yes, sir. Mostly I -- I resigned to run for  
12 sheriff in 2014, so I was gone for nine months.  
13 Other than that, I've been here about 38 years.

14 Q. So the only interruption was when you were  
15 actually running for sheriff?

16 A. Yes, sir.

17 Q. And when was that? When did you first run  
18 for sheriff?

19 A. 2014.

20 Q. And that was the first time you'd run for  
21 sheriff?

22 A. Yes, sir.

23 Q. And you were elected?

24 A. Yes, sir.

25 Q. And you've been in office since then?

1 Q. Yes, prior to seizing -- searching or  
2 seizing property.

3 A. No, sir. I've never obtained a search  
4 warrant.

5 Q. Okay. And what about the next position you  
6 held with the Marshall County Sheriff's Office?

7 A. I was a chief deputy.

8 Q. What were your job duties as a chief deputy,  
9 and can you contrast those with your job duties as a  
10 road deputy?

11 A. Well, yes, that and -- and a lot of it was  
12 administrative; overseeing the department.

13 Q. Okay. And did you investigate crime or was  
14 it primarily an administrative job?

15 A. Most of it was administrative.

16 Q. Did you do any investigating?

17 A. I don't recall. I possibly could have. Not  
18 to a major extent, no, sir.

19 Q. Okay. And how long did you hold that  
20 position?

21 A. 23 years.

22 Q. Okay. So your job was primarily  
23 administrative.

24 What were your administrative duties?

25 A. Like I said, just overseeing the department

1 Q. Okay. I guess the way I asked the question  
2 and the way you answered it, you said "no," but it  
3 sounds like your answer is actually "yes" or  
4 "correct" that you never observed detectives or  
5 officers obtain a warrant before searching or  
6 seizing livestock.

7 Is that accurate?

8 A. That's correct. No, sir. I -- I've never  
9 seen them obtain one. No, sir.

10 Q. Okay. So you were aware that these seizures  
11 were occurring, right?

12 A. Yes, sir. Some of them, yes.

13 Q. Okay. And you even participated in at least  
14 one of them, Mr. Hopkins' seizure, right?

15 A. Yes, sir. Well, I don't say "participated,"  
16 but, yes, sir, I did leave my house. It was about a  
17 mile or half around the road. I did go out there  
18 and stop by before I come on into the office, so,  
19 yes, sir, I guess you could say I participated.

20 Q. Okay. I was about to ask. If you're not  
21 participating, what are you doing out there, but...

22 A. Well, you know, I -- I stopped by just to  
23 see what was going on, you know.

24 Q. To oversee the raid -- or the seizure?

25 A. Sir? I didn't hear you.

1 Q. To oversee the seizure?

2 A. No, sir, not to oversee it. Like I say, I  
3 wasn't there that long. I just stopped by just  
4 to -- like I say, I was on my way to work, and I  
5 just run by there. It's a little -- I don't know  
6 how long I was there. I wasn't there long probably.

7 Q. You knew what was going on, though, right?

8 A. Yes, sir. Yes, sir. I knew they was -- I  
9 was -- I believe I was contacted the evening before,  
10 and they said they was going out to pick the  
11 livestock up.

12 Q. But that wasn't the first time you were  
13 aware of Detective Nichols' investigation into  
14 Matthew Hopkins' farm, was it?

15 A. No, sir.

16 Q. When was the first time you became aware of  
17 the investigation into Matthew Hopkins' farm?

18 A. I believe -- I don't remember the dates. It  
19 was -- I believe it was the day that Captain Oliver  
20 and Detective Nichols went up there. I don't know  
21 what that date is.

22 Q. Okay. That was July 9th, according to  
23 Detective Nichols.

24 Would that be correct with you? I mean, if  
25 that's the day that Oliver and Nichols went out

1 occur?

2 A. Best I recall, I believe it was in the  
3 evening. Late -- late evening.

4 Q. And so judges are available to entertain  
5 applications for search warrants from your officers  
6 day and night; correct?

7 A. Yes, sir.

8 Q. And Detective Nichols could have gotten a  
9 search warrant or applied for a search warrant on  
10 July 12th, right?

11 A. Yes, sir, I guess he could have. I think he  
12 was still operating under, best I remember, what was  
13 said. Mr. Hopkins told him to go on the property  
14 and do what he needed to do or something to that  
15 effect. I guess that's what he was operating under.  
16 I can't say.

17 Q. Well, that's what Detective Nichols says he  
18 was told, but he said a lot of things about what he  
19 was told that didn't seem to line up with an audio  
20 recording of that encounter, but we'll address that  
21 with him.

22 A. Yes, sir.

23 Q. So tell me about exactly what happened when  
24 you arrived on the Hopkinses' farm on July 13th.

25 What's the first thing you observed when you pulled

1 onto the property?

2 A. I observed, I think, Detective Nichols and a  
3 few more officers there. I think Drew Binkley was  
4 there, is the first thing I observed, and --

5 Q. I'm sorry. Go ahead.

6 A. Some gentlemen showed up at the farm with  
7 some trucks and trailers. And like I say, I wasn't  
8 there very long. There was -- a gentleman was  
9 talking to Detective Binkley, and I walked back, and  
10 the gentleman -- I guess it was Mr. Hopkins. I  
11 never met Mr. Hopkins before. He asked me if he  
12 could sell the cattle, and I told him that he needed  
13 to contact Detective Nichols because it was his  
14 case. At that point, we -- it was just some small  
15 talk. We was just talking, and I left after that.

16 Q. Did you observe a "no trespassing" sign  
17 whenever you turned onto the property?

18 A. No, sir, I didn't.

19 Q. And so was this the first time you had  
20 participated in one of Detective Nichols' livestock  
21 seizures?

22 A. I could have showed up at one, but I  
23 don't -- I don't recall. I would think the -- that  
24 chicken case you talked about a while ago, I think I  
25 rode out there. I think the man's -- I -- seems

1 Q. Okay. So what part of that statute relieves  
2 the government of the 4th Amendment warrant  
3 requirement that we discussed earlier?

4 A. Well, sir, I'm not a scholar like you, a  
5 lawyer, but I think I see two requirements for entry  
6 onto the property and to examine the livestock, the  
7 way I understand it, and -- you know, for  
8 confiscation, which was the examination by the agent  
9 of the commissioner and a veterinarian that does  
10 livestock cases and that's -- I think it's  
11 reasonable to believe that we -- we went by that  
12 statute and -- when seizing Mr. Hopkins' cattle.

13 Q. I understand your contention, but what I'm  
14 asking is what part of this statute relieves the  
15 state law enforcement agents of the 4th Amendment's  
16 warrant requirement, if anything? Because that's  
17 what you're saying, right? You're saying that if a  
18 veterinarian says there's probable cause, you don't  
19 even have to get a warrant, right? That's your  
20 argument. That's -- that's your policy?

21 A. Well, no, sir, that's not my policy. That's  
22 just the way that I'm interpreting this.

23 Q. Okay. So --

24 A. I'm not a lawyer and I -- you know, I can't  
25 sit here and argue that with you.



1 usually does is what Marshall County Sheriff's  
2 Department usually does, right?

3 A. Yes. I'm responsible for Detective Nichols.  
4 That's the way he's been operating, and I'm  
5 responsible for it. Yes, sir.

6 Q. So I'm asking that -- whatever  
7 Detective Nichols usually does in animal neglect and  
8 cruelty investigations is equivalent to what the  
9 Marshall County Sheriff's Office usually does in  
10 these investigations.

11 Fair statement?

12 A. Yes, sir.

13 Q. Okay. So does it surprise you that other  
14 counties still get warrants -- whenever a  
15 veterinarian says there's probable cause, they still  
16 get a warrant before they seize someone's property?  
17 Does that surprise you?

18 A. I don't know what other counties do.

19 Q. I thought you said you talked to other  
20 sheriffs whenever you were implementing policy or  
21 determining policy changes.

22 A. Yes, sir. I don't ever remember discussing  
23 livestock.

24 Q. So does that mean you just inherited  
25 whatever policy that existed before you came into